UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|------------------|----------------------|---------------------|------------------|
| 10/555,447 | 11/03/2005 | Akiko Fujino | 043888-0411 | 4156 |
| 53080 7590 10/15/2008 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, NW WASHINGTON, DC 20005-3096 | | | EXAMINER | |
| | | | WANG, EUGENIA | |
| WASHINGTO | N, DC 20005-3096 | | ART UNIT | PAPER NUMBER |
| | | | 1795 | |
| | | | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 10/15/2008 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ FILING DATE FIRST NAMED INVENTOR / ATTORNEY DOCKET NO. PATENT IN REEXAMINATION

10555447 11/3/2005 FUJINO ET AL. 043888-0411

MCDERMOTT WILL & EMERY LLP 600 13TH STREET, NW WASHINGTON, DC 20005-3096 EXAMINER

EUGENIA WANG

ART UNIT PAPER

1795 20081009

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply brief received October 1, 2008 has been acknowledged and entered.

Examiner would like to briefly note with respect to the argument on page 6, lines 3-5 of the reply brief, Example 2 of the instant application was used as a non-limiting example. Although, the thickness falls outside of the range in dependent claim 5, this does not preclude the results that are shows as applied to the invention as a whole. Furthermore, the comparison of example 5 to comparative example 4 still fails to show unexpected results, wherein the comparisons of the examples with the comparative example 4 are not commensurate in scope, as the materials compared are different (as set forth in the paragraph starting on page 11, line 18).

/PATRICK RYAN/ Supervisory Patent Examiner, Art Unit 1795